

REMARKS

Claims 30-46 are new and now in this application. Claims 1-29 are rejected. Claims 1-29 are cancelled herein.

Claims 1-29 are rejected as obvious over the Davidian reference in view of the DE 3525717 ('717) reference under 35 U.S.C. §103(a).

Claims 1-29 are now cancelled rendering the rejection moot. However, insofar as the subject matter of new claims 30-46 reflects that of the cancelled claims and in the event the Examiner considers asserting the present rejection against the new claims 30-46 or making the next Office Action final, applicants submit the following remarks.

Both, the Davidian patent and the German '717 published patent application show an adjustable hinge frame arrangement with a hinge having two hinge leaves which can be swivelled relative to another over gudgeons and hinge pins. Furthermore, both of these two references describe that each hinge leaf is connected with a frame of a door or a window. Also, the German '717 document shows a hinge frame arrangement where both hinge leaves have locking means. Neither one of the two hinges described in these references has an integral slot engaging member with which it engages a corresponding slot in a side surface of a frame member as is presently recited in new claim 30. Here the emphasis is on

the word “integral”, i.e. hinge leaf and the slot engaging member are formed out of one piece.

It is respectfully submitted that the examiner has misinterpreted the '717 reference as including an integral molding, or slot engaging member as it is presently recited. If at all a feature corresponding to the “molding,” or slot engaging could be found in the '717 reference, than it is definitely not an integral part of the hinge leaf. The Examiner cites reference numeral 3 for indicating an “integrally molded member.” However, reference numeral 3 is shown in Fig. 1 of the '717 reference as being the panel that is hinged. There is no disclosure of the now claimed slot engaging member that is integral with the first hinge leaf. At best a slot or recess 7a is engaged by a locking screw 9 which is not integral with a hinge leaf. Moreover, the corresponding recess of the side surface of the respective frame is not formed in a way that there is clearance between the molding and the recess to allow the side surface of the frame and the hinge leaf being tilted against each other. All a person skilled in the art can learn from the German published patent application is that the panel 3 has a slot used for vertically fixing the hinge in a predefined vertical position in the groove. Consequently the hinge leaf described in DE 35 25 717 cannot be fixed detachably in different angular positions between the side surface of the frame and the hinge leaf.

Furthermore, the Davidian reference fails to teach the captively held slot engaging member of the presently claimed invention. At best a tongue 58 engages a slot 60 but is not captively held by the slot. The tongue is held by the cover 24 in conjunction with the screw 28 and not be engaging of the tongue and the slot. Thus, a pivotal slot engaging member which is captively held in a slot is not taught.

Still another feature which is totally absent from the references is the arcuate surface of the slot engaging member which is recited in claims 36, 43 and 45. Additionally absent is the arcuate inner surface of the slot recited in claim 44 and 46.

Thus, it is respectfully submitted that the claims are not obvious in view of the cited references for the reasons stated above and their allowance is respectfully requested.

Applicant respectfully requests a two month extension of time for responding to the Office Action. Please charge the fee of \$420.00 for the extension of time to Deposit Account No. 10-1250.



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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
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